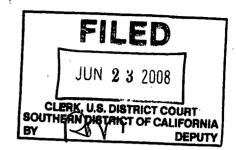
Kevin Gunn
FLAINTIFF/PETITIONER/MOVANT'S NAME
P-78894
PRISON NUMBER
Chuckawalla Valley state Prison P.O. BOX 2349
PLACE OF CONFINEMENT
PLACE OF CONFINEMENT
BIHHRE, Ca 92226
Address
• • • • • • • • • • • • • • • • • • • •

ORIGINAL



08-0972 LAB (WMc)

# United States District Court Southern District Of California

Civil No.

Revin Counn, Plaintiff/Petitioner/Movant	(To be filled in by U.S. District Court Clerk)
v.  Defendant/Respondent	MOTION AND DECLARATION UNDER PENALTY OF PERJURY IN SUPPORT OF MOTION TO PROCEED IN FORMA PAUPERIS
Kevin Gunn	
leclare that I am the Plaintiff/Petitioner/Movant in this caprepayment of fees or security under 28 U.S.C. § 1915, I to proceeding or give security because of my poverty, and the	further declare I am unable to pay the fees of this
n further support of this application, I answer the follows. Are you currently incarcerated? Yes \(\sigma\) No (If "Yes," state the place of your incarceration \(\sigma\)	"No" go to question 2)
	∃Yes 28 No
[Have the institution fill out the Certificate portion of t	

CIV-67 (Rev. 4/06)

ė	Do you own any real estate, stocks, bonds, securities, other financial instruments, or other valuable property?  □ Yes No  If "Yes" describe the property and state its value.
	The could be a supplied to the contract of the
	List the persons who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.
9.	List any other debts (current obligations, indicating amounts owed and to whom they are payable):
10.	List any other assets or items of value (specify real estate, gifts, trusts inheritances, government bonds, stocks, savings certificates, notes, jewelry, artwork, or any other assets [include any items of value held in someone else's name]):
12.	If you answered all of the items in #3 "No," and have not indicated any other assets or sources of income anywhere on this form, you must explain the sources of funds for your day-to-day expenses.  The State of California is Providing for my day to day  Care.
	•
I de fals	eclare under penalty of perjury that the above information is true and correct and understand that a se statement herein may result in the dismissal of my claims.
• ,	6-16-08
	DATE SIGNATURE OF APPLICANT

If you are a prisoner you must have an officer from your institution provide this official certificate as to the amount of money in your prison account. There are no exceptions to this requirement. PRISON CERTIFICATE (Incarcerated applicants only) (To be completed by the institution of incarceration) I certify that the applicant (INMATE'S CDC NUMBER) on account to his/her credit at \_\_\_\_\_ has the sum of \$ chuckaulalla I further certify that the applicant has the following securities \_\_\_ to his/her credit according to the records of the aforementioned institution. I further certify that during the past six months the applicant's average monthly balance was \$ \_ and the average monthly deposits to the applicant's account was \$ ALL PRISONERS MUST ATTACH A CERTIFIED COPY OF THEIR TRUST ACCOUNT STATEMENT SHOWING TRANSACTIONS FOR THE SIX-MONTH PERIOD IMMEDIATELY PRECEDING THE FILING OF THE COMPLAINT PER 28 U.S.C. § 1915(a)(2). SIGNATURE OF AUTHORIZED OFFICER OF INSTITUTION DATE OFFICER'S FULL NAME (PRINTED)

OFFICER'S TITLE/RANK

## TRUST ACCOUNT WITHDRAWAL AUTHORIZATION (Incarcerated applicants only)

(This form MUST be completed by the <u>prisoner</u> requesting to proceed in forma pauperis. An incomplete "Trust Account Withdrawal Authorization Form," or "Prison Certificate" will result in automatic denial of the prisoner's request to proceed in forma pauperis.)

\_, request and authorize the agency holding me in custody to prepare for the Clerk of the United States District Court for the Southern District of California, a certified copy of the statement for the past six months of my trust fund account (or institutional equivalent) activity at the institution where I am incarcerated.

I further request and authorize the agency holding me in custody to calculate and disburse funds from my trust fund account (or institutional equivalent) pursuant to any future orders issued by the Court relating to this civil action pursuant to the Prison Litigation Reform Act of 1995, Pub. L. No. 104-134, Title VIII, §§ 801-10, 110 Stat. 1321 (1996).

This authorization is furnished in connection with a civil action filed in the Southern District of California, and I understand that, pursuant to 28 U.S.C. §§ 1914 and 1915(b)(1), the total amount of filing fees for which I am obligated is either □ \$350 (civil complaint) or \$350 (habeas corpus petition) (check one). I also understand that this fee will be debited from my account regardless of the outcome of this action. This authorization shall apply to any other agency into whose custody I may be transferred.

SIGNATURE OF PRISONER

CIV-67 (Rev. 4/06)

-5-

REPORT ID: (\$303) 25013:08-CV-00972-LAB-WMC

다른대한 5,6/02 Filled '06/23/2008 Page 6 다녀의 PAGE NO:

CALIFORNIA DEPARTMENT OF CORRECTIONS CHUCKAWALLA VALLEY PRISON INHATE TRUST ACCOUNTING SYSTEM INNATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: DEC. 01, 2007 THRU JUN. 02, 2008

ACCOUNT NUMBER : P78894

BEB/CELL NUMBER: 010 000000001581

ACCOUNT MAKE : GUMM, KEVIM ORLANDO

ACCOUNT TYPE: 1

PRIVILEGE GROUP: A

TRUST ACCOUNT ACTIVITY

	TRAN						
DATE	CODE	DESCRIPTION	COMMENT	CHECK NUM	DEPOSITS	WITHDRAWALS	BALANCE
					*****	******	*
12/01/	2007	Beginning Bi	LANCE				0.00
SCTI	VITY	FOR 2008					
03/13	0320	TRUST FUNDS T	2901/CCI		11.67		11.67
03/21	N502	POSTAGE CHARG	30093/200			4.75	6.92
03/24	0320	TRUST FUNDS T	3020/CCI		27.00		33.92
04/21	FC04	DRAW-FAC 4	3372/0 YD			15.00	18.92
04/22	1502	POSTAGE CHARG	3396/4-22			6.78	12.14
05/19	FC04	DRAW-FAC 4	3739/0 YD			12.14	0.00

### CURRENT HOLDS IN EFFECT

PLACED	CODE	DESCRIPTION	CONKENT	HOLO AMOUNT
				****
05/23/2008	H109	LEGAL POSTAGE HOLD	3825/5-23	4.80
05/23/2008	H109	LEGAL POSTAGE HOLD	3825/5-23	7.60
05/23/2008	H1 09	LEGAL POSTAGE HOLD	3825/5-23	7.05
05/28/2008	#119	ARTIFICIAL APPLIANCE HOLD	3853/5-22	128.00
05/28/2008	H109	LEGAL POSTAGE HOLD	3861/5-28	0.42

### \* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 05/26/00

CASE NUMBER: \*SCD144476

COUNTY CODE: \*SB

FINE AMOUNT: \$ 2,328.00

DATE	TRANS.	DESCRIPTION	TRANS. ANT.	BALANCE
12/01/2007	BEGINNIN	G BALANCE		2,241.49
03/06/08 03/11/08	SU03	SYS UPDATE - POS SYS UPDATE - POS	3.94- 30.00-	2,238.05 2,208.05



THE WITHIN INSTRUMENT IS A GORRECT COPY OF THE TRUST ACCOUNT MAINTAINES

REPORT ID: 183036 a 3013:08-cv-00972-LAB-WMC

Department 5,6/02 Filed 06/23/2008 Page 7 of 10

PAGE NO:

### CHUCKAWALLA VALLEY PRISON INMATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: DEC. 01, 2007 THRU JUN. 02, 2008

ACC1: P78894

ACCT NAME: GUNN, KEVIN ORLANDO

ACCI TYPE: I

\* THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEE CHARGE THAT \*

\* IS EQUAL IS TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED.

### TRUST ACCOUNT SUMMARY

Beginning	TOTAL	TOTAL	CURRENT	HOLDS	TRANSACTIONS
Ralance	DEPOSITS	NITHORAWALS	BALANCE	BALANCE	TO BE POSTED
0.00	38.67	38.67	0.00	147.87	0.00

CURRENT AVAILABLE BALANCE

147.87-

CALIFORNIA DEPARTMENT OF CORRECTIONS CALIP CORRECTIONAL INSTITUTION INMATE TRUST ACCOUNTING SYSTEM INMATE TRUST ACCOUNT STATEMENT

2008 FOR THE PERIOD: DEC 01, 2007 THRU JUN. 03,

BED/CELL NUMBER: ACCOUNT TYPE: GUNN, KEVIN ORLANDO : P78894 ACCOUNT NUMBER : ACCOUNT NAME : PRIVILEGE GROUP:

BALANCE WITHDRAWALS CHECK NUM DRPOSITS TRUST ACCOUNT ACTIVITY COMPENT DESCRIPTION TRAN

15.65 00. 0.00 11.2511.6 15.65 27.00 11.67 4.40 3.72 4.84 27.00 185373810 5851CVSP 185373734 INMATE PAYROL 11-3663SUP DRAW-FAC 2 2-3-3929 12-50855UP 5955MRL123 6013CVSP 2-5822SUP BRGINNING BALANCE FOR 2008 INMATE PAYROL INMATE PAYROL CASH DEPOSIT TRANSFER OF T INMATE PAYROL TRANSFER OF T 12/06\*VD54 12/17 FC02 ACTIVITY 03713 W610 12/01/2007 03/06\*VD54 03/06 W610 03/11\*DD30 02/06\*VD54 02/06\*VD54 DATE

# \* RESTITUTION ACCOUNT ACTIVITY

DATE SENTENCED: 05/26/00	NCED: 05/2	00/9	CASE NUMBER:	CASE NUMBER: *SCD144476
COUNTY CODE: *SD	B: *SD		FINE AMOUNT:	FINE AMOUNT: \$ 2,328.00
DATE	TRANS.	DESCRIPTION	TRANS, AMT.	BALANCE
12/01/2007		BEGINNING BALANCE		2,255.85
12/06/07	VR54	RESTITUTION DEDUCTION-SUPPORT RESTITUTION DEDUCTION-SUPPORT RESTITUTION DEDUCTION-SUPPORT RESTITUTION DEDUCTION-SUPPORT REST DED-CASH DEPOSIT	4.87-	2,250.98
02/06/08	VR54		4.13-	2,246.85
02/06/08	VR54		5.36-	2,241.49
03/06/08	VR54		3.44-	2,238.05
03/11/08	DR30		30.00-	2,208.05

THIS STATEMENT DOES NOT REFLECT THE ADMINISTRATIVE FEB CHARGE THAT IS EQUAL TO TEN PERCENT OF THE RESTITUTION AMOUNT COLLECTED.

CORPECTION

.701

REPORT ID: TS3030

CALIFORNIA DEPARTMENT OF CORRECTIONS CALIF CORRECTIONAL INSTITUTION IN ATE TRUST ACCOUNT STATEMENT

FOR THE PERIOD: DEC. 01, 2007 THRU JUN. 03, 2008

ACCT TYPE: T ACCT NAME: GUNN, KEVIN ORLANDO ACCT: P78894

TRUST ACCOUNT SUMMARY

0.00 TRANSACTIONS TO BE POSTED HOLDS BALANCE 0.00 CURRENT BALANCE TOTAL 54.32 TOTAL DEPOSITS 43.07 BEGINNING BALANCE

00.0

CURRENT AVAILABLE BALANCE

REPORT DATE: 06/03/08 PAGE NO: 2

.701 REPORT ID: TS3030

# PROOF OF SERVICE BY MAIL

### BY PERSON IN STATE CUSTODY

(Fed. R. Civ. P. 5; 28 U.S.C. § 1746)

I, KEVI	n o. Gunn				, declare:
I am over 18 years of	age and a party to	this action. I am a	resident of	· .	
	CHUCKA	WALLA VALLEY	STATE	•	Prison,
in the county of	F	MVERSTDE			•
State of California. M	ly neison address	ie. P.O. BO	X 2349. Elyth	ne. Ca 92	226
Santonina IV	ry-prison address	13.			***
On	The state of the s			April 1	•
in the second se		(DATE)			, in
I served the attached:	Motion and	Declaration	to Proceed	In Forma	
on the parties herein by thereon fully paid, in the		<b>-</b> ·		•	
Southern Office Of 880 Front	ates Distri	ct Court California 4290	was addressed as foll	ows:	
I declare under p	enalty of perjury i	under the laws of th	e United States of A	merica that th	ne foregoing
is true and correct.			-		
Executed on 6-18 (DATE)	3-08	(DECLA	RANT'S SIGNATURE)	<u> </u>	

Civ-69 (Rev. 9/97)

::ODMAVPCDOCS\WORDPERFECT\22832\I